

ATTACHMENT C – STORMWATER MANAGEMENT PLAN AND AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE REQUIREMENTS

C1 STORMWATER MANAGEMENT PLAN

The Stormwater Management Plan is a document that describes the Department's plans for each of its 12 districts to comply with the requirements of this Order.

The Department shall continue to implement its existing Stormwater Management Plan to the extent that it does not conflict with the requirements of this Order until a Stormwater Management Plan is approved by the State Water Board Executive Director.

C2 GENERAL REQUIREMENTS OF THE STORMWATER MANAGEMENT PLAN

The Department shall comply with the following general requirements:

1. The Department shall implement its updated Stormwater Management Plan as approved by the State Water Board Executive Director. If there is a conflict between the Department's Stormwater Management Plan and the requirements of this Order, the requirements of this Order supersede.
2. The Department shall define terms used in its Stormwater Management Plan consistently with definitions in 40 C.F.R section 122.2 and in Attachment B (Acronyms, Abbreviations, and Definitions) of this Order.
3. The Department's referenced policies, guidelines, and manuals shall facilitate implementation of the Stormwater Management Plan and shall be consistent with the requirements of this Order.
4. The Department's manuals, guidance, and other related reference materials shall be revised as appropriate to reflect any approved updates to the Stormwater Management Plan.

C3 ELEMENTS OF THE STORMWATER MANAGEMENT PLAN

The Department shall include the following elements detailed in sections C.3.1 through C3.16, below, in its Stormwater Management Plan.

C3.1 Overview

The Department shall provide an overview of its Stormwater Management Program that describes the following components:

1. A Statement of Purpose for the Stormwater Management Plan;
2. A description of the regulatory background; and

3. A description of the other permits that are addressed through, or overlap with, the Stormwater Management Plan.

C3.2 Management and Organization

The Department shall include management and organization information as described in sections C3.2.1 through C3.2.3, below.

C3.2.1 *Municipal Coordination Plan*

The Department shall include a Municipal Coordination Plan in its Stormwater Management Plan, that provides the strategy for compliance with the following requirements:

1. Comply with the lawful requirements of municipalities and other local, regional, or other State agencies regarding discharges of the Department's stormwater to separate storm sewer systems or other watercourses under those agencies' jurisdictions;
2. Communicate, cooperate, and collaborate with other municipal separate storm sewer system agencies and their programs, including establishing local agreements with municipalities, flood control agencies, or districts as necessary or appropriate;
3. Identify the name and direct telephone number of one Designee and one Substitute Designee for each District who will serve as the primary District Stormwater Liaison and primary point of contact. This information shall be posted on the Department's website. The Department shall update the Department's website whenever designees are changed; and
4. Upload District-specific municipal coordination plans to the State Water Board's Stormwater Multiple Application and Report Tracking Systems (SMARTS) whenever the Municipal Coordination Plan defers implementation details to individual Districts. Upload to SMARTS within one month after the State Water Board Executive Director approves the Stormwater Management Plan. The Department shall notify the appropriate Regional and State Water Board municipal stormwater staff upon uploading to SMARTS.

C3.2.2 *Annual Certification of Legal Authority*

The Department shall maintain and annually certify its legal authority to implement and enforce each of the key regulatory requirements contained in 40 C.F.R. sections 122.26(d)(2)(i)(A) - (F). The Stormwater Management Plan shall provide detailed procedures for the Department's inclusion of its Certification of the Adequacy of Legal Authority in the Annual Stormwater Management Plan Report (Annual Report). The procedures shall address how the Department will

establish, maintain, and certify that it has adequate legal authority through statute, permit, contract, or other means to control discharges to and from the Department's properties, facilities, and activities.

As part of the annual certification, the Department shall provide a statement certified by its chief legal counsel that the Department has adequate legal authority to implement and enforce each of the key regulatory requirements contained in 40 C.F.R. section 122.26(d)(2)(i)(A)-(F).

C3.2.3 *Fiscal Planning Strategy and Annual Fiscal Analysis Reports*

The Department shall include the Fiscal Planning Strategy and the Annual Fiscal Analysis Reports, as described below:

1. The Fiscal Planning Strategy shall be included in the Stormwater Management Plan. The Fiscal Planning Strategy shall include the fiscal strategy to comply with this Order for the following stormwater program elements:
 - a. Implementation, inspection, and maintenance of all best management practices;
 - b. Development, implementation, and iterative improvement of an effective stormwater monitoring program; and
 - c. Retention of qualified personnel to implement and manage the stormwater program.
2. The Annual Fiscal Analysis Report shall be submitted in each Annual Report. The Department shall submit an Annual Fiscal Analysis Report of its statewide stormwater management program in each Annual Report. At a minimum, the annual fiscal analysis shall provide the following:
 - a. Funds allocated to each Department District for compliance with this Order;
 - b. Funds allocated for each element of the Stormwater Management Plan;
 - c. Funds allocated for an effective stormwater monitoring program;
 - d. Funds allocated for reporting;
 - e. Funds allocated for trash reduction and implementation;
 - f. Comparison of actual past year with the current year expenditures and the next year proposed expenditures for each Stormwater Management Plan element;
 - g. Discussion of how the funding met the goals specified in the Stormwater Management Plan and District Annual Workplans;
 - h. Description of all cost sharing agreements with other parties in implementing the Stormwater Management Program; and

- i. A Fourth-Year Budget Analysis for consideration of the next 5-year permit cycle of this Order. This analysis shall be submitted in the fourth year's Annual Fiscal Analysis Report and no later than 180 days before the expiration date of this Order.

C3.2.4 *Conflicts Between Stormwater Management Plan and Department's Policies and Practices*

The Department shall include a description of any of its practices and policies that conflict with the implementation of the Stormwater Management Plan, proposed modifications to the Stormwater Management Plan, and implementation schedules to resolve any conflicts.

C3.3 **Pollution Prevention Program for Construction Activities**

The Department shall describe its pollution prevention program for construction activities, which shall be consistent with the requirements described in sections C3.3.1 through C3.3.5 of this Attachment.

C3.3.1 *Statewide or Lake Tahoe Construction Stormwater General Permits*

For stormwater discharges associated with construction activities not subject to the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction Stormwater General Permit) or the General Waste Discharge Requirements and NPDES General Permit for Storm Water Discharges Associated with Construction Activity in the Lake Tahoe Hydrologic Unit, Counties of Alpine, El Dorado, and Placer (Lake Tahoe Construction Stormwater General Permit), including demolition, clearing, grading, excavation, and other land disturbance activities that result in the disturbance of less than one acre of total land area that is not part of a larger common plan of development, the Department shall implement best management practices to reduce the discharge of pollutants to the maximum extent practicable. The Department shall comply with any region-specific waste discharge requirements, including any requirements applicable to activities involving less than one-acre land disturbance area.

For any stormwater discharges associated with construction activities which are subject to the statewide Construction Stormwater General Permit or the Lake Tahoe Construction General Permit, the Department shall obtain coverage and maintain compliance under the appropriate permit.

C3.3.2 *Lead-Contaminated Soils*

For construction projects that are regulated under the Department of Toxic Substances Control June 2016 Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils, the Department shall notify the appropriate Regional Water Board in writing 30 days prior to advertisement for bids to allow a determination by the Regional Water Board Executive Officer of the need for additional waste discharge requirements.

C3.3.3 *Portland Cement Concrete and Asphalt Concrete Grindings*

The Department shall include the following procedures for Portland cement concrete and asphalt concrete grindings:

1. The discharge to waters of the state of stormwater runoff that has come in contact with Portland cement concrete or asphalt concrete grindings is prohibited;
2. The Department shall include procedures to ensure Portland cement concrete and asphalt concrete grindings, produced from the Department's right-of-way and activities, are not stockpiled or used in a manner that may result in an unauthorized stormwater discharge to waters of the state;
3. The Department shall comply with its January 12, 1993 Memorandum of Understanding with the California Department of Fish and Wildlife regarding the reuse of grindings in embankments, shoulder backings, and other areas within its right of way, as referenced in the Department's November 2017 Highway Design Manual, Section 110.11, or subsequent updates thereof; and
4. The Department shall comply with the requirements of local and State regulations, and Titles 22 and 27 of the California Code of Regulations for management of temporary stockpiles of Portland cement concrete and asphalt concrete grindings.

C3.3.4 *Contractor Compliance*

The Department shall include procedures to ensure that contractors comply with this Order, applicable requirements of the Construction General Permit, and with applicable requirements of the Lake Tahoe Construction General Permit. The Department shall ensure pollution prevention awareness training is provided to contractor personnel. Training shall include general stormwater awareness, implementation of this Order, and implementation of the Construction General Permit and the Lake Tahoe Construction General Permit, as applicable. Training shall also include identification of stormwater pollution potential, spill response, and spill reporting.

C3.3.5 *Environmentally Friendly Best Management Practices*

The Department shall include procedures regarding the design and implementation of effective temporary and construction-stage best management practices consistent with the following requirements:

1. Ensure that all best management practices do not constitute a hazard to wildlife;
2. Utilize wildlife-friendly 100 percent biodegradable erosion and sediment control products. For purposes of this Order, photodegradable synthetic products are not considered biodegradable;
3. Remove when no longer needed any erosion and sediment control products containing non-biodegradable materials that are used for temporary site stabilization; and
4. Remove and replace any erosion control material, sediment control netting, or other best management practices or products that have entrapped or harmed wildlife at any site or facility. The Department shall immediately remove and replace these products with wildlife-friendly biodegradable products.

C3.4 **Statewide General Permit for Stormwater Discharges Associated with Industrial Activities**

When the Department or a Department contractor has an industrial facility described in Attachment A of the Statewide General Permit for Stormwater Discharges Associated with Industrial Activities (Industrial General Permit), such as a concrete batch plant or borrow area, the Department or the Department contractor shall:

1. Enroll under the Industrial General Permit and submit required Permit Registration Documents to SMARTS for all facilities subject to regulatory coverage; and
2. Require the industrial facility owner/operator to comply with all applicable requirements of the Industrial General Permit.
3. The discharge of pollutants from facilities not covered by the Industrial General Permit must be reduced to the maximum extent practicable through implementation of best management practices.

C3.5 **Maintenance and Operations**

The Department shall describe the compliance protocol for maintenance and non-maintenance facility and highway maintenance activities described in sections C3.5.1 through 3.5.5, below.

C3.5.1 *Maintenance and Non-Maintenance Facility Pollution Prevention Plans*

The Department shall provide and implement Facility Pollution Prevention Plans to reduce or eliminate the discharge of pollutants in stormwater runoff from maintenance facilities and activities. At a minimum, the Department shall:

1. Prepare Facility Pollution Prevention Plans for all Department maintenance facilities. Each facility shall be evaluated separately and assigned site-specific best management practices to reduce or eliminate pollutant discharges in stormwater. The Facility Pollution Prevention Plans shall describe the activities conducted at the facility and the best management practices to be implemented to reduce or eliminate the discharge of pollutants in stormwater runoff from the facility. Facility Pollution Prevention Plans shall describe the inspection program used to ensure that maintenance best management practices are implemented and maintained.
2. Identify priority pollutant reduction opportunities (e.g., improvements to existing best management practices) with priority given to sites in sensitive watersheds or where there is an existing or potential threat to water quality.
3. Establish and implement procedures for best management practices in accordance with this Order.
4. Include program and implementation requirements to reduce pollutant discharges from non-emergency firefighting flows from its fire suppression systems in tunnels and other structures in anticipation of these non-emergency firefighting flows.
5. Evaluate all non-maintenance Facilities, excluding leased properties, for stormwater runoff quality problems. If the Department identifies a stormwater runoff quality problem at a non-maintenance facility, then the Department shall prepare a Facility Pollution Prevention Plan for that facility. If a Regional Water Board Executive Officer determines that a non-maintenance facility may discharge pollutants to the stormwater drainage system or directly to surface waters, the Department shall prepare a Facility Pollution Prevention Plan for that facility.
6. Identify in each Annual Report the status of the Facility Pollution Prevention Plan for each maintenance facility by District and by Water Board Region, including the date of the last update or revision to the Facility Pollution Prevention Plan and the nature of the updates or revisions.

C3.5.2 *Maintenance Facility Inspection Program and Plan*

The Department shall provide and implement a Maintenance Facility Inspection Program and Plan.

1. The Maintenance Facility Inspection Program shall ensure that this Order and the Stormwater Management Plan are implemented and that facilities are constructed, operated, and maintained in accordance with this Order and the Stormwater Management Plan. The program shall include training for inspection personnel, documentation of field activities, a reporting system that can be used to track effectiveness of control measures, enforcement procedures (or referral for enforcement) for non-compliance, procedures for taking corrective action, and responsibilities and responsible personnel of all affected functional offices and branches. The inspection program shall also include standard operating procedures for documenting inspection findings, a system of escalating enforcement response to non-compliance (including procedures for addressing third party (i.e., contractor) noncompliance), and a system to ensure the timely resolution of all violations of this Order or the Stormwater Management Plan. The Department shall delegate adequate authority to appropriate personnel within all affected functional offices and branches to require corrective actions (including stop work orders).
2. The Maintenance Facility Inspection Plan shall include protocols to ensure that maintenance facilities are constructed, operated, and maintained in accordance with the requirements of this Order and with the approved Stormwater Management Plan. training and documentation, inspection, and inspection follow-up protocols shall be included, as described below:
 - a. Training and documentation that describes training for inspection personnel; documentation of field activities; and a reporting system for tracking non-compliance, enforcement, and effectiveness of control measures.
 - b. Procedures to inspect and maintain facilities no less than twice annually, as follows:
 - i. Identify areas contributing to discharge of pollutants;
 - ii. Determine if the control practices for reducing pollutant loadings identified in the Facility Pollution Prevention Plans are adequate and properly implemented;
 - iii. Determine whether additional control practices are needed;
 - iv. Conduct follow-up inspections when deficiencies are noted;
 - v. Maintain records of all inspections, compliance certifications, and non-compliance reporting for a period of at least three years;
 - vi. Maintain each District's record of inspections;
 - vii. Assure inspection records include inspection dates, names and contact information of individuals performing the inspection, report of observations and recommendations for all corrective actions identified as needed; and

- viii. Describe all previously recommended corrective actions undertaken since the prior inspection.
- c. Procedures for inspection follow-up to implement the following:
 - i. Standard operating procedures for documenting inspection findings;
 - ii. Responsibilities and responsible personnel for all functional offices and branches affected by inspection findings; and
 - iii. Delegation of adequate authority to require corrective actions and stop work orders within all affected maintenance facilities and activities.
- d. Procedures for non-compliance and enforcement, including the following:
 - i. A system for escalating enforcement for non-compliance (including procedures for addressing third party (e.g., contractor) non-compliance,
 - ii. Procedures for taking corrective action,
 - iii. Enforcement referral procedures, and
 - iv. A system to ensure the timely resolution of all violations of this Order and the Stormwater Management Plan.

C3.5.3 *Highway Maintenance Activities*

The Department shall include runoff management, vegetation control, waste management, and landslide management for highway maintenance activities, as described below.

C3.5.3.1 *Runoff Management*

The Department shall describe procedures, programs, and systems for maintenance of existing roads, highways, and bridges to reduce runoff pollutant concentrations and volumes entering surface waters according to the following requirements:

1. Prioritize watershed pollutant reduction opportunities (e.g., improvements to existing best management practices). Priority shall be given to sites in sensitive watersheds or where there is an existing or potential threat to water quality;
2. Collect trash before mowing vegetated areas and dispose of the trash appropriately;
3. Establish schedules for implementing appropriate best management practices; and
4. Prioritize road segments with slopes that are prone to erosion and sediment discharge and stabilize these slopes to control the discharge of pollutants to

the maximum extent practicable. An inventory of vulnerable road segments shall be addressed in each District Annual Work Plan. This section does not apply to landslides and other forms of mass wasting which are covered in the Landslide Management Plan section of this Attachment.

C3.5.3.2 *Vegetation Control Plan*

The Department shall include a Vegetation Control Plan in its Stormwater Management Plan. The Department and its contractors shall control handling and application of chemicals, pesticides, and fertilizers to reduce or eliminate the discharge of pollutants to the maximum extent practicable. The Vegetation Control Plan shall implement integrated pest management and integrated vegetation management practices that avoid the use of pesticides in locations, times, and quantities on right-of-way that could result in discharges that cause toxicity in receiving waters. The Department shall incorporate the Department's existing integrated pest management and integrated vegetation management practices into its Vegetation Control Plan that is required by this Order. The Department's Vegetation Control Plan shall comply with California Department of Pesticide Regulation requirements and shall incorporate the surface water protection requirements described below.

1. Prohibit the use of Diazinon. Diazinon is no longer registered by the California Department of Pesticide Regulation for non-agricultural uses.
2. Require Districts to have individual written vegetation control implementation protocol in every instance where the Vegetation Control Plan defers implementation details to those Districts. Written District protocol shall be uploaded to SMARTS within 30 days of the State Water Board's approval of the Stormwater Management Plan. The Department shall notify the appropriate State and Regional Water Board municipal stormwater programs upon uploading.
3. Provide pesticide and fertilizer handling and application procedures to reduce or eliminate the discharge of pollutants in stormwater to the maximum extent practicable.
4. Require that applicators and supervisors be certified and licensed according to the Department of Pesticide Regulations.
5. Apply herbicides and pesticides in compliance with federal, state, County Agricultural Commissioner, and product label directions. Require that pesticide reportable quantity releases and spills be immediately reported to the California Governor's Office of Emergency Services per the Office of Emergency Services guidelines.
6. Provide a protocol to assess site- and application-specific conditions to

prevent chemical and pesticide discharge, which shall include the following variables:

- a. Expected precipitation events, particularly those with the potential for high intensity;
 - b. Presence of wind that may cause drift;
 - c. Proximity to water bodies;
 - d. Intrinsic mobility of the chemical;
 - e. Application method and any tendency for aerial dispersion;
 - f. Fate and transport of the chemical after application;
 - g. Effects of using combinations of chemicals; and
 - h. Other conditions as identified by the applicator.
7. Require that violations of federal and state regulations identified by the Department or Department's contractor be reported to the California Governor's Office of Emergency Services within 24-hours at 1-800-852-7550; and
 8. Require that violations of regulations be reported to the County Agricultural Commissioners within 10 business days.

C3.5.3.3 *Waste Management Plan*

The Department shall include a Waste Management Plan that includes the following information and procedures:

1. Inventory of waste storage, transfer, and disposal sites. The inventory shall include the sources and the physical and chemical characterization of the waste at each site. The inventory shall include estimated annual volumes of waste and existing or planned waste management practices for each waste and facility type;
2. Procedures to perform a minimum of once per year inspections of urban drainage inlets and catch basins;
3. Procedures to remove waste and debris from drainage inlets and catch basins when waste and debris have accumulated to a depth of 50 percent of the inlet or catch basin capacity; and
4. Procedures to manage, dispose, and report waste and debris, sweeper truck waste, and vacuum truck waste in accordance with applicable laws and regulations, including California Code of Regulations Title 27, Division 2, Subdivision 1.

C3.5.3.4 *Landslide Management Plan*

The Department shall include a Landslide Management Plan with best management practices for construction and maintenance of landslide-related activities (e.g., prevention, containment, clean-up). The Landslide Management Plan shall address all forms of mass wasting such as slumps, mud flows, and rock falls, and shall include best management practices specifically for burn site management activities.

C3.5.4 *Contractor Activities Outside the Right-of-Way*

The Department shall include contract provisions that require contractors to obtain and comply with applicable permits for project-related facilities and operations outside the Department's right-of-way. The types of facilities may include concrete or asphalt batch plants, staging areas, concrete slurry processing or other material recycling operations, equipment and material storage yards, material borrow areas, and access roads.

C3.5.5 *Asset Management Plan*

The Department shall maintain its existing asset management program for its storm sewer system infrastructure by ensuring it provides the following:

1. An overview of the Department's Transportation Asset Management Plan and State Highway System Management Plan that is specific to the Department's storm sewer system infrastructure life cycle, rehabilitation, repair, prioritization, and replacement strategy;
2. Description of electronically tracked data inputs, such as location, asset condition, date of installation, and other identifiers;
3. Description of asset maintenance and implementation; and
4. Report any best management practice retrofit activities in the Annual Report.

C3.6 **Non-Departmental Activities**

The Department shall address non-departmental activities for the following requirements:

1. Summary of the Department's control over all non-departmental (e.g., third party) activities performed in the Department's right-of-way. The summary shall describe how the Department is going to ensure compliance with this Order in all non-departmental activities.
2. Description of the Department's process to refuse grants or renew encroachment permits or easements for any third party that is required to obtain coverage under the Statewide General Permit, Lake Tahoe Construction

General Permit, or the Industrial General Permit unless the party has obtained coverage under the appropriate general permit.

3. In all leases, rental agreements, and all other contracts with third parties conducting activities within the right-of-way, the Department shall require the third party to comply with applicable requirements of this Order, the Construction General Permit, the Lake Tahoe Construction Permit, and the Industrial General Permit. The Department is ultimately responsible for stormwater and non-stormwater discharges from leased sites, including sites addressed by Executive Order N-23-20.

C3.7 Non-Stormwater Discharges

The Department shall describe the management activities for all non-stormwater discharges, including spills; illicit discharges, illegal dumping, and illegal connections; and agricultural return flows. The Department shall include the following information and protocols.

C3.7.1 Spills

A spill is the sudden release of a potential pollutant to the environment, including pollutants such as sewage, hazardous waste, priority pollutants, pesticides, oils, and petroleum. The Department shall describe the protocol to comply with the following requirements for spills to receiving waters or municipal separate storm sewer systems from the Department's right-of-way and for spills outside the Department's right-of-way that include Department-generated pollutants:

1. The Department shall immediately control, abate, and cleanup all spills to its municipal storm separate sewer system and to receiving waters.
2. The Department shall follow the California Governor's Office of Emergency Services procedures and timelines specified in Water Code sections 13271 and 13272 for reporting spills.
3. The Department shall report to the California Office of Emergency Services, upon discovery, incidents that threaten public health, public safety, property, or the environment that pose a clear and imminent danger requiring immediate action to prevent or mitigate the damage or threat, and that result in a discharge or potential discharge to surface waters.

C3.7.2 *Illegal Connection, Illicit Discharge, and Illegal Dumping*

1. The Department shall implement best management practices and other requirements of the Stormwater Management Plan to reduce, eliminate, and remediate illegal connections, illicit discharges, and illegal dumping.
2. The Department shall provide and implement procedures for preventing,

detecting, investigating, reporting to the appropriate Regional Water Board, and cleaning up illegal connections, illicit discharges, and illegal dumping.

3. The Department shall provide and implement plans for educating the public, raising awareness, and changing behaviors regarding illegal connections, illicit discharges, illegal dumping, and encouraging the public to contact the local authorities if they witness illegal dumping.

C3.7.3 *Agricultural Return Flows*

The Department shall describe its protocol to provide reasonable support of monitoring activities for agricultural dischargers whose runoff enters the Department's municipal separate storm sewer system. Reasonable support shall include facilitating monitoring activities, providing access to monitoring sites, and cooperating with monitoring efforts as needed. It does not include actively conducting monitoring or providing funding. The Department may require agricultural dischargers to follow established Department access and encroachment procedures when establishing sites and conducting monitoring activities. The Department may deny access at sites that may restrict traffic flow or pose a danger to any party.

C3.8 **Training Program**

The Department shall describe its protocol to ensure that its employees and contractors who conduct operations in the Department's right-of-way are trained annually in stormwater pollution prevention. The training shall include the following:

1. Causes and effects of stormwater pollution,
2. Regulatory requirements,
3. Best management practices,
4. Penalties for non-compliance with this Order, and
5. Lessons learned.

C3.9 **Public Education and Outreach Program**

The Department shall include a Statewide Public Education and Outreach Plan that includes the following elements:

1. Continuation of statewide public education and outreach efforts that focus public awareness on preventing pollutants and litter from entering surface water. Continuation of stormwater management advertising campaigns. The Department may cooperate with other organizations to implement the public education campaign. Continuation of efforts to participate in public outreach and education activities with other municipal separate storm sewer system

permittees.

2. Participation in public outreach events to influence the public's behavior.
3. Communication with commercial and industrial entities whose actions may add pollutants to the Department's stormwater.

C3.10 Post-Construction Requirements

The Department shall describe the plans, designs, implementation, and maintenance for post-construction best management practices, which shall be consistent with the requirements in section C3.10.1 through C3.10.10, below. These requirements are applicable to all new and redevelopment projects that (1) meet the size thresholds provided in this Attachment and (2) that have not completed the project initiation phase as of the Effective Date of this Order or that have completed the project initiation phase prior to the effective date of this order but have not commenced construction within five years of the effective date of this order. The Department may submit a request for an extension for long-lead projects to the State Water Board Executive Director for review and consideration of approval in coordination with the Regional Water Board Executive Officer.

Where a Regional Water Board Executive Officer finds that a project will have a minimal impact on water quality, the Executive Officer may waive post-construction treatment control requirements or lessen the stringency of the requirements for a project. Waivers may not be granted for projects subject to post-construction treatment control requirements based on a waste load allocation assigned to the Department.

C3.10.1 *Alternative Compliance Projects Located Within or Outside the Right-of-Way*

Alternative compliance may be achieved outside the Department's project limits, either within or outside the Department's right-of-way, including within another Department project. An alternative compliance project may be a cooperative agreement with another entity. If the Department determines that all or any portion of on-site treatment for a project is infeasible on-site, the Department shall prepare a proposal for alternative compliance for review and consideration of approval by the State Board Executive Director in coordination with the applicable Regional Water Board Executive Officer.

The Department's proposal shall include documentation supporting the determination of infeasibility. Alternative compliance shall be based on an equivalent rate such as acres of right-of-way to acres of an alternative compliance project; proportional responsibility calculated from pollutant loadings at the right-of-way compared to the loadings at an alternative compliance project; the Department's land use coverage in the watershed; or other methods as approved by the State Water Board Executive Director in consultation with the applicable

Regional Water Board Executive Officer. Examples of potential alternative compliance projects include the following:

1. Maximizing stormwater treatment design and construction beyond the minimum mandatory post-construction best management practice controls.
2. Cooperating with municipalities for post-construction best management practice controls or cost-sharing projects.

Alternative compliance projects that the Department implements outside the project limits shall include provisions for the long-term maintenance of such alternative compliance projects.

C3.10.2 *Projects Subject to Post-Construction Treatment Requirements*

The Department shall describe the post-construction treatment requirements as required below:

1. The Department shall implement post-construction treatment control best management practices for the following new development or redevelopment projects:
 - a. Highway Facility projects that create 10,000 square feet or more of new impervious surface, except for Highway Facility projects that create less than one (1) acre of new impervious surface and:
 - (1) That have completely proceeded through the Department's Project Initiation Document stage prior to the Effective Date of this Order, and
 - (2) For which project construction has commenced within five (5) years of the Effective Date of this Order or seven (7) years of completing the Project Initiation Document stage, whichever is sooner.

The Department shall submit a list of the Highway Facility projects that meet the exception criteria in section 1.a.1) and 2) above, within 6 months of the Effective Date of this Order.

The Department may submit a request for an extension to the time criteria in item 2) above, to the State Water Board Executive Director for review and consideration of approval in coordination with the Regional Water Board Executive Officer.

- b. Non-Highway Facility projects that create 5,000 square feet or more of new impervious surface.
2. For non-Department projects within the Department's right-of-way, the Department shall:
 - a. Exercise control or oversight on non-Department projects through encroachment permits or other means.

- b. Ensure the new development or redevelopment projects comply with the same post-construction treatment control requirements as Department projects.
- c. Review and approve the design of post-construction treatment controls and best management practices prior to implementation for all non-Department projects that trigger post-construction treatment control requirements.

C3.10.3 Post-Construction Planning

The Department shall describe procedures and methodologies used in the selection of design and post-construction best management practices for Department projects. The Department shall ensure that Long-Term Operation and Maintenance Plans are prepared and implemented for every site subject to post-construction stormwater treatment design standards and best management practices required under this Order. The Department may prepare cooperative agreements with local agencies for post-construction treatment of highway runoff that is located outside of the Department's right-of-way.

C3.10.4 Post-Construction Implementation

1. The Department may drain effluent from stormwater best management practices to a local municipal separate storm sewer system only if the discharge does not cause or contribute to exceedances of water quality standards.
2. The Department shall complete required installation and shall inspect post-construction best management practices on or before the overall project completion date. The Department's inspections shall ensure the construction and installation is in accordance with the Long-Term Operation and Maintenance Plans. The Department shall take appropriate remedial actions for any best management practices or controls to comply with approved plans, as applicable.
3. The Department shall assure that all post-construction best management practices do not constitute a hazard to wildlife.

C3.10.5 Site Design Pollution Prevention Best Management Practices

The Department shall incorporate the following Site Design Pollution Prevention Best Management Practices into all projects that create disturbed soil area, including projects designed to comply with this Order's post-construction treatment requirements. The Department shall list site design measures that shall be considered for each project, including, but not limited to following:

1. Conserve natural areas by minimizing land disturbance, such as existing trees, stream buffer areas, vegetation, and soils.

2. Minimize the impervious footprint of the project.
3. Minimize disturbances to natural drainages.
4. Design and construct pervious surface to effectively receive runoff from impervious surfaces, taking into consideration the pervious areas' soil conditions, slope, and other pertinent factors.
5. Implement landscape and soil-based best management practices such as compost-amended soils, vegetated strips, and vegetated swales.
6. Use climate-appropriate landscaping that minimizes irrigation and runoff, promotes surface infiltration, and minimizes the use of pesticides and fertilizers.
7. Design landscapes to comply with the California Department of Water Resources [Water Efficient Landscape Ordinance](https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Model-Water-Efficient-Landscape-Ordinance) (<https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Model-Water-Efficient-Landscape-Ordinance>). Where the California Department of Water Resources Water Efficient Landscape Ordinance conflicts with a local water conservation ordinance, the Department shall comply with the local ordinance.

C3.10.6 Post-Construction Long-Term Operation and Maintenance Plans

The Department shall describe the post-construction long-term operation, inspection, and maintenance program, which includes cooperative agreements with any local agency for post-construction treatment that is located outside the Department's right-of-way. Post-construction long-term operation and maintenance program shall be consistent with the following requirements:

1. Prepare and implement long-term operation and maintenance plans for every site subject to the post-construction stormwater treatment design standards. The plans shall ensure that:
 - a. Long-term structural low impact development best management practices are maintained as necessary to ensure that they continue to work effectively,
 - b. Proprietary devices are maintained according to the manufacturer's directions, and
 - c. Post-construction best management practices are replaced if they lose their effectiveness.
2. Inspect all installed best management practices at minimum of once every two years.
3. Dispose retained sediments in accordance with applicable local, state, and federal acts, laws, regulations, ordinances, and statutes.

4. Inspect all newly installed best management practices and controls within 45 days of installation to ensure the construction and installation is in accordance with approved plans. The Department shall take appropriate remedial actions for the best management practices or control to comply with approved plans, as applicable.
5. Provide online and maintenance station access to the Long-Term Operation and Maintenance Plans.

C3.10.7 *Best Management Practices Design and Numeric Sizing Criteria*

The Department shall include procedures for design and numeric sizing criteria for best management practices according to the following:

1. Include procedures for construction of best management practices and treatment controls for Department and non-Department projects. The projects shall be designed to control and abate the discharge of pollutants in stormwater with primary consideration to infiltrating, harvesting, and/or re-using the stormwater runoff prior to consideration of treatment and discharge (e.g., biofiltration). The first priority shall be the use of vegetated landscape and soil based best management practices to treat stormwater runoff. The Department may identify in its Stormwater Management Plan areas of the state with deep vadose zones where non-vegetated landscape and soil based best management practices may be prioritized. The Department shall also consider other effective stormwater treatment control methods or devices for Department approval.
2. Include procedures for stormwater runoff volumes and rates that are used to size best management practices that shall be based on the 85th percentile, 24-hour storm event. This sizing criterion shall apply to the entire treatment train (i.e., a series of best management practices) within the project limit. Design pollution prevention best management practices can be used to comply with this requirement.
3. Include procedures for the event when the entire runoff volume from an 85th percentile, 24-hour storm event cannot be infiltrated, harvested, re-used, or evapotranspired. In this case, the excess volume may be treated by low impact development-based flow-through treatment devices. Where low impact development-based flow-through treatment devices are not feasible, excess volume may be treated through conventional volume-based or flow-based stormwater treatment devices.
4. The Department shall provide technical reports documenting the effectiveness and performance of any new Department approved best management practices, including any updates to previously approved best management practices.

C3.10.8 *Design Criteria for Redevelopment Projects*

1. For redevelopment projects of highway facilities with new impervious surface less than or equal to 50 percent of the total post-project impervious surface within project limits, the Department shall implement the following:
 - a. The numeric sizing criteria shall only apply to the new impervious surface area and not to the entire project.
 - b. When new impervious surface cannot be hydraulically separated from the existing impervious surface, the Department shall either provide treatment for redeveloped areas and as much of the hydraulically inseparable flow as feasible (based on site conditions and constraints) and divert any excess flow around the treatment device to prevent overloading, or identify treatment opportunities equivalent to the untreated portion of the redeveloped area.
 - c. The Department shall complete post-construction best management practice installations on or before the overall project completion date.
2. For redevelopment projects of highway facilities with new impervious surface greater than 50 percent of the total post-project impervious surface, the Department shall implement the following:
 - a. The numeric sizing criteria apply to the entire project.
 - b. The Department may identify treatment opportunities equivalent to the untreated portion of the entire impervious area at an alternative compliance site (see the section on Alternative Compliance, above).
 - c. The Department shall complete post-construction best management practice installations on or before the overall project completion date.
3. For redevelopment projects of non-highway facilities with new impervious surface less than or equal to 50 percent of the total post-project impervious surface, the Department *shall do the following*:
 - a. The numeric sizing criteria shall only apply to the new impervious surface increase and not to the entire project.
 - b. If the redeveloped impervious surface cannot be hydraulically separated from the existing impervious surface, the Department shall either provide treatment for redeveloped areas and as much of the hydraulically inseparable flow as feasible (based on site conditions and constraints) and divert any excess flow around the treatment device to prevent overloading or identify treatment opportunities equivalent to the redeveloped area (see the section on Alternative Compliance, above).
 - c. The Department shall complete post-construction best management practice installations on or before the overall project completion date.

4. For redevelopment projects of non-highway facilities with new impervious surface increase greater than 50 percent of the total post-project impervious surface, the Department shall do the following:
 - a. The numeric sizing criteria apply to the entire project; and
 - b. The Department shall complete post-construction best management practice installations on or before the overall project completion date.

C3.10.9 *Stability of Stream Channels*

The Department shall provide a protocol to ensure that all new development and redevelopment projects do not cause a decrease in lateral (bank) and vertical (channel bed) stability in receiving stream channels. Unstable stream channels negatively impact water quality by yielding greater quantities of sediment than stable channels. The approach is described in section C3.10.9.1 through C3.10.9.5, below:

C3.10.9.1 *Threshold Drainage Areas*

The three sections below include requirements for Threshold Drainage Areas, which is defined as an area draining to a location at least 20 channel widths downstream of a stream crossing (pipe, swale, culvert, or bridge) within the Department's project limits.

C3.10.9.2 *Projects that Add Between Five and Ten Thousand Square Feet of New Impervious Surface*

Highway or non-highway facility projects that add between 5,000 and 10,000 square feet of new impervious surface shall implement the Site Design Pollution Prevention Best Management Practices section of this Attachment.

C3.10.9.3 *Projects that Add Ten Thousand Square Feet of New Impervious Surface that is Completely Outside a Threshold Drainage Area*

Highway or non-highway facility projects that add 10,000 square feet or more of new impervious surface completely outside of a Threshold Drainage Area shall implement the Site Design Pollution Prevention Best Management Practices and the Post-Construction Long-Term Operation and Maintenance Plans sections of this Attachment.

C3.10.9.4 *Rapid Assessment for Projects that Add Ten Thousand Square Feet or More of New Impervious Surface with Any Portion of New Impervious Surface Located Within a Threshold Drainage Area*

Highway or non-highway facility projects that add 10,000 square feet or more of new impervious surface with any impervious portion of the project located within

a Threshold Drainage Area shall conduct a rapid assessment of stream stability at each stream crossing (e.g., pipe, culvert, swale or bridge) within that Threshold Drainage Area.

Guidance and worksheets for the rapid assessment of stream stability are in the 2006 Federal Highway Administration publication "[Assessing Stream Channel Stability at Bridges in Physiographic Regions](https://www.fhwa.dot.gov/publications/research/infrastructure/hydraulics/05072)," (<https://www.fhwa.dot.gov/publications/research/infrastructure/hydraulics/05072>).

If the stream crossing is a bridge, a follow up rapid assessment of stream stability is required, which may be coordinated with the federally mandated bridge inspection process. The assessment will be conducted within a representative channel reach to assess lateral and vertical stability. A representative reach is a length of stream channel that extends at least 20-channel widths upstream and downstream of a stream crossing. For example, a 20-foot-wide channel would require analyzing a 400-foot distance upstream and downstream of the discharge point or bridge. If sections of the channel within the 20-channel width distance are immediately upstream or downstream of steps, culverts, grade controls, tributary junctions, other features, or other structures that significantly affect the shape and behavior of the channel, then more than 20 channel widths should be analyzed.

C3.10.9.5 *Results of Rapid Assessment*

If the results of the rapid assessment indicate that the representative reach is laterally and vertically stable (i.e., a rating of excellent or good), then the Department does not have to conduct further analyses and shall implement the requirements for Projects Subject to Post-Construction Treatment Requirements described in this Attachment.

If the results of the rapid assessment indicate that the representative reach will not be laterally and vertically stable (i.e., a rating of poor), the Department shall determine whether the instability, in conjunction with the proposed project, poses a risk to existing or proposed highway structures by conducting appropriate Level 2 (and, if necessary, Level 3) analyses. The Department shall follow the Level 2 and 3 analysis guidelines contained in Hydraulic Engineering Circular No. 20 (Federal Highway Administration, fourth edition, 2012) or a suitable equivalent within an accessible portion of the reach. If the results of the appropriate Level 2 (and, if necessary, Level 3) analyses indicate that there is no risk to existing or proposed highway structures, the Department shall (1) implement the requirements for Projects Subject to Post-Construction Treatment Requirements described in this Attachment and document the methodologies used, (2) the results and the mitigation measures suggested as part of the appropriate Level 2 and, (3) if necessary, Level 3 analyses.

If the results of the Level 2 and 3 analysis indicate that the instability, in conjunction with the proposed project, poses a risk to existing or proposed highway structures, other options shall be implemented, including, but not limited to, (1) in-stream and floodplain enhancement or restoration, (2) fish barrier removal as identified in the report required under Article 3.5 of the California Streets and Highways Code, (3) regional flow control, (4) off-site best management practices, and, (5) if necessary, project re-design.

C3.10.10 Vector Control

The Department shall develop and implement post-construction stormwater best management practices to control mosquitoes and vectors in compliance with the following conditions:

1. The Department shall design, operate, and maintain best management practices to (a) minimize mosquito production and (b) drain within 96 hours of the end of a rain event unless specifically designed to control vectors through other features. This limitation does not apply in the Lake Tahoe Basin and in other high-elevation regions of the Sierra Nevada above 5,000 feet elevation with similar alpine climates.
2. All best management practices shall be maintained at the frequency specified in the Department's Maintenance Staff Guide or by the manufacturer, whichever results in more frequent maintenance;
3. The Department shall operate and maintain best management practices to prevent the propagation of vectors;
4. The Department shall comply with applicable provisions of the California Health and Safety Code relating to vector control;
5. The Department shall design and install best management practices to allow for inspections and treatment by mosquito and vector control agency staff;
6. The Department shall prepare and maintain an inventory of best management practices that retain water for more than 96 hours. The inventory shall be provided to California Department of Public Health in electronic format for distribution to local mosquito and vector control agencies. The initial inventory shall be provided within two years from the Effective Date of this Order. Subsequent inventories shall be provided to the California Department of Public Health every two years of the initial inventory submittal; and
7. The Department shall cooperate and coordinate with the California Department of Public Health and mosquito and vector control agencies on issues related to vector production in the Department's structural best management practices.

C3.11 Stream Crossing Design Guidelines

The Department shall include the following stream crossing design protocols:

1. The Department shall review and revise as necessary its 2009 Fish Passage Design for Road Crossings, which is a guidance document. In reviewing and revising the guidance document, the Department shall be consistent with the latest stream crossing design, construction, and rehabilitation criteria contained in the California Department of Fish and Wildlife's 2010 California Salmonid Stream Habitat Restoration Manual and the National Marine Fisheries Service's 2001 Guidelines for Salmonid Passage at Stream Crossings. The review shall be completed no later than one year after the Effective Date of this Order.
2. If it is infeasible to comply with any of the guidelines specified above, the Department shall prepare written documentation justifying the determination of infeasibility. Documentation shall be provided to the Regional Water Board Executive Officer for review and consideration of approval.

C3.12 Discharge to Sanitary Sewer Systems

Provided that the Department receives approval from the relevant sanitary sewer system or wastewater treatment plant agency, the Department may discharge to that sanitary sewer system for treatment by the wastewater treatment plant. The Department's application for discharge to the sanitary sewer system shall identify and provide the concentration of any pollutant anticipated to be in the discharge.

C3.13 Climate Change Impacts

The Department shall conduct a vulnerability assessment that identifies potential impacts due to climate change. The vulnerability assessment shall include increasing frequencies of extreme temperatures, drought, heavy rainfall, flooding, wind, wildfires, and sea level rise. The Department shall implement its vulnerabilities evaluations and strengthen efforts to implement adaptation measures for the storm sewer system's resilience to climate and severe weather impacts.

The Department shall provide the vulnerability assessment upon request.

C3.14 Storm Sewer Mapping

The Department shall maintain storm sewer maps. The Department shall include the (1) locations of best management practices via geographic informational system data layers, (2) information on structural best management practices (e.g., type, size, flow, pollutant, installation date), and (3) an indication of any green technology best management practices. Storm sewer mapping shall be made available upon request.

C3.15 Measurable Objectives

The Department shall identify measurable objectives to meet the requirements of this Order and the goals, proposed activities, tasks, and time schedule for the proposed activities and tasks in the Stormwater Management Plan.

In the Annual Report, the Department shall report progress in meeting the measurable objectives, proposed activities, proposed tasks, and schedule for proposed tasks.

C3.16 Program Evaluation, Field Compliance Evaluations, Self-Audits, and Effectiveness

1. Field Compliance Evaluations and Field Activities Self-Audit. The Department shall perform compliance evaluations for field activities for construction, highway maintenance, facility maintenance, and targeted program components. Results of the field compliance evaluations for each fiscal year shall be submitted as a Field Activities Self-Audit with the Annual Report.
2. Overall Program Effectiveness Evaluation. The Overall Program Effectiveness Evaluation shall be comparable to that outlined in the California Stormwater Quality Association (CASQA) Municipal Stormwater Program Effectiveness Assessment Guidance (<https://www.casqa.org/resources/stormwater-effectiveness-assessment/guidance-document>). This evaluation shall be conducted annually. The Department shall conduct the Overall Program Effectiveness Evaluation each year in response to collected environmental monitoring data. Based on the monitoring data evaluations, the scope shall be increased by adding more program effectiveness evaluation measures. The Overall Program Effectiveness Evaluation shall target pollutants of concern and shall emphasize the assessment of best management practices. The effectiveness evaluation shall include the following components:
 - a. Assessment of program effectiveness in achieving permit requirements and measurable objectives.
 - b. Assessment of program effectiveness in protecting and restoring water quality and beneficial uses.
 - c. Identification of quantifiable effectiveness measurements for each best management practice, including measurements that link best management practice implementation with improvement of water quality and beneficial use conditions.
 - d. Identification of how the Department will propose revisions to optimize best management practice effectiveness when effectiveness assessments identify best management practices or programs that are ineffective or need improvement.

C4 AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE COMPLIANCE PLAN

No later than 12 months after the Effective Date of this Order, the Department shall submit an Areas of Special Biological Significance Compliance Plan to the State Water Board Executive Director for review and consideration of approval. The Areas of Special Biological Significance Compliance Plan shall address the locations and monitoring results in Table C-1, which indicate that discharges either (1) exceed the Instantaneous Maximum Water Quality Objectives in Table 3 of the California Ocean Plan or (2) are causing or contributing to alterations of natural ocean water qualities in the Areas of Special Biological Significance.

The Department's Areas of Special Biological Significance Compliance Plan shall include the following information:

1. List of constituents, by location, in stormwater runoff that alter natural ocean water quality.
2. Map showing priority discharge locations, surface drainage of stormwater runoff, areas of sheet flow of stormwater runoff, and any structural best management practices already implemented and/or best management practices to be installed in the future to control the pollutants that are causing exceedance of the natural ocean water qualities.
3. Implementation schedule with annual milestones for the type and installation date of best management practices. The implementation schedule shall ensure that natural ocean water quality conditions are achieved and maintained by either reducing flows from impervious surfaces, reducing pollutant loading, or a combination thereof. The Department shall include documentation verifying that selected best management practices are designed such that the effluent will meet the natural ocean water qualities in the receiving water.
4. Description of the measures by which all non-authorized non-stormwater discharges (e.g., dry weather flows) will be eliminated, maintained, monitored, and documented.
5. Description of inspections and maintenance once prior to the beginning of the rainy season and once during the rainy season for stormwater outfall drains equal to or greater than 18 inches in diameter or width.
6. Descriptions of stormwater discharges during wet weather flows, including the necessary best management practices to achieve pollutant reductions to comply with the special conditions in the General Exception.
7. Description of how to address erosion control and the prevention of anthropogenic sedimentation in Areas of Special Biological Significance. The natural habitat conditions in the Areas of Special Biological Significance shall not be altered because of anthropogenic sedimentation.
8. Description of existing and planned non-structural best management practices,

including those for construction activities, and a corresponding implementation schedule.

9. Description of and an implementation schedule for any low impact development measures currently employed and planned for higher threat discharges. To control stormwater runoff discharges (at the end-of-pipe) during a design storm, the Department must first consider, and use where feasible, low impact development practices to infiltrate, use, or evapotranspire stormwater runoff on-site, if low impact development practices would be the most effective at reducing pollutants from entering the areas of special biological significance.
10. Strategy to demonstrate compliance with Instantaneous Maximum Water Quality Objectives (Chapter II, Table 3, of the Ocean Plan) or 90 percent reduction in pollutant loading during storm events. The Department's strategy shall include one or more of the following for each location/parameter pair in Table C-1: modeling, receiving water monitoring, discharge monitoring, demonstration of no discharge, or loads from other sources.
11. Technical description of best management practices to control stormwater runoff discharges during a design storm, including the achievement, on average, of the following target levels:
 - a. Instantaneous Maximum Water Quality Objectives in Chapter II, Table 3, of the Ocean Plan; or
 - b. A 90 percent reduction in pollutant loading during storm events, for the Department's total discharges.

Table C-1. Areas of Special Biological Significance with Exceedances

Areas of Special Biological Significance Index No. and Name	Ocean Receiving Water Site Identification Number	Reported Exceedances of Natural Ocean Water Quality
ASBS 08, Redwood National Park	1-323	Total suspended solids, arsenic, copper, lead, mercury, nickel, selenium
ASBS 09, James G. Fitzgerald	4-342	Dissolved orthophosphate, total suspended solids, copper, lead, zinc, toxicity
ASBS 15, Ano Nuevo	4-346	Fecal coliform, enterococcus, total suspended solids, oil & grease, nitrogen, arsenic, cadmium, chromium, copper, lead, mercury, nickel, zinc
ASBS 34, Carmel Bay	5-305	Cadmium, lead, mercury, zinc

Areas of Special Biological Significance Index No. and Name	Ocean Receiving Water Site Identification Number	Reported Exceedances of Natural Ocean Water Quality
ASBS 24, Laguna Point to Latigo Point	7-407	Ammonia, selenium, polycyclic aromatic hydrocarbons

In Table C-1, an exceedance of natural water quality is the same as defined in the flow chart of [State Water Board Resolution No. 2012-0031](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0031.pdf), General Exception to the Ocean Plan, Attachment 1

(https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0031.pdf)

C5 ANNUAL STORMWATER MANAGEMENT PLAN REPORTS

All reports shall be uploaded to the statewide SMARTS database, except that the database of the Inventory of Structural Best Management Practices shall be made available upon request by the State Water Board Executive Director or a Regional Water Board Executive Officer.

The reporting period for all reports required under this Attachment is the fiscal year from July 1 through June 30. The Annual Plan Report shall include information required under sections C5.1 through C5.15.

The Annual Report shall be submitted by November 30 of each year and shall cover the previous and forthcoming fiscal years.

C5.1 Fiscal Analysis

The Department shall include a Fiscal Analysis that includes the requirements specified in the Fiscal Planning Strategy and Annual Fiscal Report section of this Attachment.

C5.2 Certification of Adequacy of Legal Authority

The Department shall include a Certification of Adequacy of Legal Authority, as required in this Attachment.

C5.3 Technology, Monitoring, and Development Status Report

The Department shall include a Stormwater Best Management Practice Technology, Monitoring, and Development Status Report that shall include pilot study results of any new best management practices evaluations and investigations.

C5.4 Public Education Program Progress Report

The Department shall include a Public Education Program Progress Report with details regarding how the Department complied with the public education requirements in this Attachment.

C5.5 Overall Program Effectiveness Evaluation Report

The Department shall include an Overall Program Effectiveness Evaluation Report based on the conclusions from the Field Activities Self-Audits.

C5.6 Vegetation Control and Chemical Usage

The Department shall include a report of the Department's vegetation control and chemical usage that includes the following information:

1. A summary of chemical use, including the quantity of chemicals used during the previous reporting period by name and type of chemical, by District, and by month.
2. An assessment of long-term trends in herbicide usage and a table with yearly herbicide totals by chemical type and by District.
3. A comparison of the Department's statewide herbicide uses with the Department's herbicide reduction goals.
4. An analysis of the effectiveness of implementation of vegetation control best management practices, including a discussion of the improvements to best management practices implementation in use and proposed for use and an explanation when no improvements are proposed.
5. A justification for any increase in use of chemicals, herbicides, pesticides, and fertilizers.
6. A report on the number and percentage of employees who apply pesticides and have been trained and licensed in the Department's Pesticide and Fertilizer Pollution Control Program policies.
7. Training materials if requested by the State Water Board Executive Director.

C5.7 Best Management Practices Maintenance Summary

The Department shall provide a summary table of best management practices installed during the reporting period with certification dates for proper operation and maintenance. The Department shall include discharge to sanitary sewer as a best management practice in the summary table where applicable.

C5.8 Post-Construction Best Management Practices Maintenance

The Department shall provide a report on any post-construction best management practices maintenance activities, including descriptions regarding how the Department complied with the post-construction requirements in this Order.

C5.9 Stormwater Best Management Practices

The Department shall provide a District-by-District description of construction and post-construction stormwater best management practices implemented during the reporting period. A summary of best management practices effectiveness and a description of iterative improvements implemented to address underperforming best management practice shall be included.

C5.10 Measurable Objectives Progress Report

The Department shall provide a progress report on how the Department met the measurable objectives required under this Attachment.

C5.11 Proposed Revisions to Stormwater Management Plan

The Department shall provide proposed revisions, including revisions to the existing best management practices and corresponding justifications.

C5.12 Summary of Non-Compliance

The Department shall provide a summary of non-compliance with this Order and the Stormwater Management Plan. The summary shall include incident dates, types, locations, and the status of the non-compliance.

C5.13 Summary of Updates to Facility Pollution Prevention Plans

The Department shall provide a summary table of updates to the Facility Pollution Prevention Plans for each maintenance facility, arranged by the Department's Districts and Regional Water Quality Control Board, including the date of the last update or revisions and the nature of any revisions.

C5.14 Other Items

The Department shall report annually on the following other items:

1. The status and progress of interagency coordination activities under the Municipal Coordination Plan.
2. The information required under Article 3.5 of the Streets and Highways Code requiring the Department to report on the status of efforts in locating, assessing, and remediating barriers to fish passage.

3. The compliance evaluations for field activities including construction, highway maintenance, facility maintenance, and selected targeted program components. The results of the field compliance evaluations for each fiscal year shall be provided.
4. A summary of all construction project non-compliance items.
5. An inventory of vulnerable road segments, including the identity of road segments with slopes that are prone to erosion and sediment discharge and any stabilization of these slopes to control the discharge of pollutants.
6. The details of participation in Regional Monitoring Programs, such as amount of contribution to the regional monitoring program, the activities performed by the Department, and achievement of waste load allocations.

C5.15 District Annual Workplans

Each District Annual Workplan shall cover the period of July 1 through June 30. By July 1 of each year and for each District, the Department shall upload to SMARTS electronic copies of the Department's District Annual Workplans. The Department shall notify appropriate Regional Water Board staff upon upload of the District Annual Workplans to SMARTS. District Annual Workplans are considered accepted 60 days after receipt by the applicable Regional Water Board unless rejected in writing.

Prior to submittal of the District Annual Workplans and when requested by a Regional Water Board Executive Officer, Department staff shall meet with Regional Water Board staff on an annual basis to discuss District Annual Workplan alternatives and to ensure that appropriate post-construction controls are included in the project development process through review of the Workplan and early consultation and coordination between the Department and Regional Water board staff. Each District Annual Workplan shall include the following information for the period of July 1 through June 30:

1. A description of all anticipated soil disturbing activities and projects to be undertaken by the Districts for the upcoming fiscal year of July 1 through June 30. This shall include a description of the construction and post-construction controls to be implemented for each activity and project.
2. The area of new impervious surface and the percentage of new impervious surface to existing impervious surface for each project.
3. The area of disturbed soil associated with each project or activity.
4. A description of other permits required by the Regional Water Boards for each project or activity.
5. Potential and actual impacts of discharges from each project or activity.

6. The proposed best management practices to be implemented in coordination with other municipal separate storm sewer system permittees to comply with waste load allocations and load allocations assigned to the Department for specific pollutants in specific watersheds or sub watersheds.
7. The elements of the statewide monitoring program to be implemented in the District.
8. Identification of high-risk areas (such as locations where spills or other releases may discharge directly or indirectly to municipal or domestic water supply reservoirs or ground water percolation facilities).
9. Spill containment, prevention, response, and control measures for high-risk areas.
10. An inventory of vulnerable road segments having slopes that are prone to erosion and sediment discharge.

C5.16 Inventory of Best Management Practices

The database with the Inventory of Best Management Practices shall be maintained, kept current, and submitted upon request by a Regional Water Board Executive Officer or the State Water Board Executive Director. The inventory shall be a database of structural best management practices that shall be accurate and complete. The use of a geographic information system (GIS) is recommended. The database shall include the following: (i) location (latitude, longitude, and watershed); (ii) structural best management type and design criteria; (iii) date of construction; (iv) party responsible for maintenance; (v) dates and findings of maintenance verifications; (vi) corrective actions and/or resolutions, when applicable.

A summary of the Inventory of Best Management Practices database shall be included in the Annual Report.

C5.17 Annual Review of Stormwater Management Plan

The Department shall review the storm water management plan annually, modify as necessary, and submit any revised plan to the Executive Director for review and consideration of approval. Revisions to the Stormwater Management Plan are subject to public notice and the opportunity for a public hearing.